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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/677,751	10/03/2003	Ivan Laloux Sbida	60282.00103	4886

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EXAMINER	
DAVENPORT, MON CHERI S	
ART UNIT	**PAPER NUMBER**
2609	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/677,751	SBIDA, IVAN LALOUX	
	Examiner	Art Unit	
	Mon Cheri S. Davenport	2609	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-38* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-38* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *03 October 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date [illegible]

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1-38** rejected under 35 U.S.C. 102(e) as being anticipated by Dunk (US Patent Application Publication 2004/0264465).

Regarding **Claim 1** Dunk discloses a method of controlling a data transmission from a first node ***(see fig. 4, section 412, host access network, paragraph [0060], line 2)*** to a second node ***(see fig. 4, section 408, wireless communication device, see paragraph [0060], line 12)*** via a communication network wherein the first node is connected to the communication network by a communication protocol of a first type ***(fig. 4, section 414, IPv6 wireless network),*** and the communication network ***(fig. 4, section 404, serving network)*** uses at least in part a communication protocol of a second type ***(fig. 4, section 432, IPv4, wireless network)*** for forwarding the data transmission from the first node to the second node, the method comprising the steps of:

activating a communication connection based on the communication protocol of the first type from the first node to a network node of the communication network***(see paragraph [0073], lines 3-4, the wireless device operating with in and through IPv6 wireless network);***

allocating a first connection information part comprising an address related to the communication protocol of the first type to the communication connection of the first node***(see paragraph [0075], line 1-2, wireless device transmit request for temporary IPv6 address, through the IPv4 network)*** ;

allocating, based on a transition mechanism***(see fig. 4, section 430, router, paragraph [0075], line 4-6, identifies or determines a temporary IPv6 address)*** used by the communication network, a second connection information part comprising an address related to the communication protocol of the second type to the communication connection of the first node ***(paragraph [0076], lines 1-4, the router***

identifies or determines temporary IPv6 address based on the temporary IPv4 address); and

storing, by the network node(tunnel server), the first connection information part and the second connection information part in a register, wherein the second connection information part is associated with the first connection information part in a common entry in the register ***(see paragraph [0048], lines 4-9, tunnel server updates its local routing table with the IP address of the tunnel server with association with a destination IP).***

Regarding **Claim 2, 14 and 26** Dunk discloses everything as applied above (see claim 1). In addition the method includes:

wherein, in the step of activating the communication connection, an activation request is sent from the first node to the network node***(see paragraph[0073], lines 3-4, 12-14, the wireless device begins in the IPv6 network, then enters the IPv4 network),*** the activation request comprising at least one of an indication for a dynamic addressing and an indication of an address type for the communication protocol of the first type***(see paragraph [0075], line 1-2, wireless device transmits a request for temporary IPv6 address).***

Regarding **Claim 3, 15 and 27** Dunk discloses everything as applied above (see claim 1). In addition the method includes:

wherein, in the step of allocating the first connection information part comprising an address related to the communication protocol of the first type**(IPv6)** to the communication connection of the first node, the address related to the communication protocol of the first type is allocated by the network element ***(see paragraph[0075], lines 5-9, the router determines a temporary IPv6 address to assign to a wireless device operating in the IPv6 network).***

Regarding **Claim 4, 16, and 28** Dunk discloses everything as applied above (see claim 1). In addition the method includes:

wherein, in the step of allocating the first connection information part comprising an address related to the communication protocol of the first type to the communication connection of the first node, the address related to the communication protocol of the first type is requested from an external address(email) allocation element contacted by the network element***(see paragraph 0080], communication device has email to send to wireless device address using its permanent Ipv6 address, then the packets are readdress with the temporary IPv6 address)***.

Regarding **Claim 5, 17, and 29** Dunk discloses everything as applied above (see claim 1). In addition the method includes:

wherein, in the step of allocating the second connection information part comprising an address related to the communication protocol of the second type to the communication connection of the first node, the address related to the communication protocol of the second type is allocated by the network element from an internal pool of addresses ***(see paragraph [0077], lines 8-11, the suffix data field is for the IPv4, address, which is the temporary IPv4 address previously assigned to the wireless device through IPv4 wireless network, see paragraph [0074], lines 10-13, addresses are leased for limited periods of time , such that an IP address not in use is put back into an unallocated pool).***

Regarding **Claim 6, 18, and 30** Dunk discloses everything as applied above (see claim 1). In addition the method includes:

wherein, in the step of allocating the second connection information part comprising an address related to the communication protocol of the second type to the communication connection of the first node, the address related to the communication protocol of the second type(IPv4) is requested from an external address(email) allocation element contacted by the network element ***(see paragraph [0081], lines 9-11, the wireless device receives data packets addressed to its temporary IPv4 and process the information).***

Regarding **Claim 7, 19 and 31** Dunk discloses everything as applied above (see claim 1). In addition the method includes:

wherein, in the storing step, the network element stores the first connection information part and the second connection information part associated with each other by an entry in a table portion related to the communication connection of first node, wherein the second connection information part is stored in a specific table field of the table portion***(see paragraph [0048], lines 4-9, tunnel server updates its local routing table with the IP address of the tunnel server with association with a destination IP).***

Regarding **Claim 8, 20, and 32** Dunk discloses everything as applied above (see claim 1). In addition the method includes:

further comprising a step of tunneling, via the network node, the data transmission based on the communication protocol of the first type between the first node and the second node by means of a connection based on the communication protocol of the second type***(Ipv4)(see paragraph[0081], line 9-11, the wireless device receives packets addressed to its temp Ipv4 address, and processes the information contained therein) .***

Regarding **Claim 9, 21, and 33** Dunk discloses everything as applied above (see claim 1). In addition the method includes:

wherein, in the activating step, the data transmission comprises a packet based data transmission, the communication protocol of the first type, comprises one type of an Internet protocol, in particular an IPv6 based protocol (***fig. 4, section 414, IPv6 wireless network, see paragraph [0073], lines 3-4)***, and the communication protocol of the second type comprises another type of an Internet protocol, in particular an IPv4 based protocol***(fig. 4, section 432, IPv4, wireless network see paragraph[0075], line 1-2)***.

Regarding **Claim 10, 22, and 34** Dunk discloses everything as applied above (see claim 1). In addition the method includes:

wherein, in the activating step, the communication connection between the first node and the network node is based on a packet based data transmission protocol context, in particular on a Packet Data Protocol context ***(sees paragraph[0062], lines 6-7, wireless networks are General Packet Radio Service network, in which PDP is inherent).***

Regarding **Claim 11, 23, and 35** Dunk discloses everything as applied above (see claim 1). In addition the method includes:

wherein, in the allocating, based on the transition mechanism step, the transition mechanism used by the communication network comprises an automatic tunneling mechanism which uses in particular the Intra-Site Automatic Tunnel Addressing Protocol ***(see paragraph[0070], line 1-3, router operates in accordance to Intra-site Automatic Tunnel addressing Protocol).***

Regarding **Claim 12, 24, and 36** Dunk discloses everything as applied above (see claim 1). In addition the method includes:

wherein, in the activating step, the network node comprises a gateway node of the communication network, in particular a Gateway GPRS Support Node ***(sees paragraph[0062], lines 6-7, wireless networks are General Packet Radio Service network).***

Regarding **Claim 13 and 25** Dunk discloses a system for controlling a data transmission from a first node ***(see fig. 4, section 412, host access network, paragraph [0060], line 2)*** to a second node ***(see fig. 4, section 408, wireless communication device, see paragraph [0060], line 12)*** via a communication network wherein the first node is connected to the communication network by means of a communication protocol of a first type (***fig. 4, section 414, IPv6 wireless network),*** and the communication network uses at least in part a communication protocol of a second type ***(fig. 4, section 432, IPv4, wireless network)*** for forwarding the data transmission from the first node to the second node, the system comprising ***(see***

paragraph [0073], lines 3-4, the wireless device operating with in and through IPv6 wireless network):

means for activating a communication connection based on the communication protocol of the first type between the first node and a network node of the communication network***(see fig. 4, section 430, router, see paragraph [0075], line 1-2, wireless device transmit request for temporary IPv6 address, through the IPv4 network);***

means for allocating a first connection information part comprising an address related to the communication protocol of the first type to the communication connection of the first node***(see fig. 4, section 430, router, see paragraph [0075], line 1-2, wireless device transmit request for temporary IPv6 address, through the IPv4 network)***

means for allocating, on the basis of a transition mechanism ***(see fig. 4, section 430, router, paragraph [0075], line 4-6, identifies or determines a temporary IPv6 address)*** used by the communication network, a second connection information part comprising an address related to the communication protocol of the second type to the communication connection of the first node***(see fig. 4, section 430, router, paragraph [0076], lines 1-4, the router identifies or determines temporary IPv6 address based on the temporary IPv4 address);*** and

means for associating the second connection information part with the first connection information part and for storing the associated first and second connection information parts in a register***(see fig. 4, section 430, router, see paragraph [0048], lines 4-9, tunnel server updates its local routing table with the IP address of the tunnel server with association with a destination IP).***

Regarding **Claim 37 and 38** Dunk disclose a system for controlling a data transmission from a first node ***(see fig. 4, section 412, host access network, paragraph [0060], line 2)*** to a second node ***(see fig. 4, section 408, wireless communication device, see paragraph [0060], line 12)*** via a communication network wherein the first node is connected to the communication network by a communication protocol of a first type (***fig. 4, section 414, IPv6 wireless network),*** and the communication network uses at least in part a communication protocol of a second type ***(fig. 4, section 432, IPv4, wireless network)*** for forwarding the data transmission from the first node to the second node, the system comprising:

an actuator **(see fig. 4, section 408, wireless device)** for activating a communication connection based on the communication protocol of the first type between the first node and a network node of the communication network ***(see paragraph [0075], line 1-2, wireless device transmit request for temporary IPv6 address, through the IPv4 network);***

a first node***(see fig. 4, section 412, host access network, paragraph [0060], line 2)*** for allocating a first connection information part comprising an address related to the communication protocol of the first type to the communication connection of the first node***(see fig. 4, section 430, router, see paragraph [0075], line 1-2, wireless device transmit request for temporary IPv6 address, through the IPv4 network)***;

a second node***(see fig. 4, section 408, wireless communication device, see paragraph [0060], line 12)*** for allocating, on the basis of a transition mechanism ***(see fig. 4, section 430, router, paragraph [0075], line 4-6, identifies or determines a temporary IPv6 address)*** used by the communication network, a second connection information part comprising an address related to the communication protocol of the second type to the communication connection of the first node***(see fig. 4, section 430, router, paragraph [0076], lines 1-4, the router identifies or determines temporary IPv6 address based on the temporary IPv4 address); and***

a third node***(see fig. 4, section 430, router)*** for associating the second connection information part with the first connection information part and for storing the associated first and second connection information parts in a register ***(see fig. 4, section 430, router, see paragraph [0048], lines 4-9, tunnel server updates its local routing table with the IP address of the tunnel server with association with a destination IP).***

Citation of Pertinent Prior art

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Chin et al. (US Patent Application Publication 2004/0240468) see abstract and Figures 1-7.

Blanchet et al. (US patent Application Publication 2004/0013130) see abstract.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mon Cheri S. Davenport whose telephone number is 571-270-1803. The examiner can normally be reached on Monday - Friday 8:00 a.m. - 5:00 p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on 571-272-3174. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Seema S. Rao 5/23/07

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May 23, 2003